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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313  
on 17 June 2004

Date of Deposit

K. Shannon Mrksich, Reg. No. 36,675

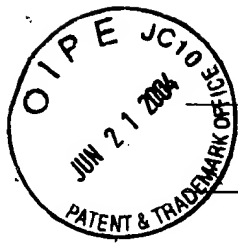
Name of applicant, assignee or  
Registered Representative

*S. Mrksich*

Signature

*6/17/04*

Date of Signature



Case No. 10466/127

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Baker et al.

Serial No.: 09/943,664

Filed: 8/30/01

For: Secreted and  
transmembrane  
Polypeptides and  
Nucleic Acids Encoding  
the Same

Examiner: O'Hara

Group Art Unit: 1646

### NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated March 17, 2004 of the Examiner finally rejecting Claims 25-36.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on \_\_\_\_\_ for \_\_\_\_\_ month(s).
2. ☒ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. ☒ Fee \$330.00 Other than a Small Entity  
☒ Enclosed  
☐ Not required (Fee paid in prior appeal)  
☐ Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)  
☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: 17 June 2004

S. Mrksich  
K. Shannon Mrksich  
Registration No. 36,675  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200



AF/IFW  
1646/16

BRINKS  
HOFER  
GILSON  
& LIONE

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: 17 June 2004 Name: K. Shannon Mrksich, Reg. No. 36,675 Signature: S. Mrksich

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Baker et al.

Appln. No.: 09/943,664

Filed: 8/30/01

For: SECRETED AND TRANSMEMBRANE  
POLYPEPTIDES AND NUCLEIC ACIDS  
ENCODING THE SAME

Examiner: O'Hara

Art Unit: 1646

Attorney Docket No: 10466/127

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Notice of Appeal From The Examiner To The Board Of Patent Appeals And Interferences  
☒ Return Receipt Postcard

**Fee calculation:**

- ☐ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

**Fee payment:**

- ☒ A check in the amount of \$330.00 is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_ . A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

6/17/04

S. Mrksich  
K. Shannon Mrksich (Reg. No. 36,675)